

CABINSITE ADMINISTRATIVE RULES DRAFT ADOPTION NOTICE

May 17, 2010

PROPOSAL: The department is requesting final approval of the cabinsite rules in the attached draft Adoption Notice. These rules have been developed to implement the lease fee methodology of Alternative 3B, as approved by the Land Board on October 19, 2009. The department is requesting approval to proceed with rulemaking and to publish a proposal notice in the Montana Administrative Register (MAR).

BACKGROUND:

- On December 21, 2009 the Land Board approved the draft rules in order to begin the rulemaking process to implement Alternative 3B.
- DNRC published a Rulemaking Proposal Notice in the January 14, 2010, Montana Administrative Register and held a comment period from December 31, 2009, through February 11, 2010, along with two hearings: one in Kalispell on February 3; and one in Seeley Lake on February 4. The department collected a total of 132 comments. A summary of comments and department response may be found in the attached draft Adoption Notice.
- DNRC opened the MEPA scoping period from February 19 to March 19, 2010 and held two scoping meetings: one in Missoula on March 2; and one in Kalispell on March 4. The department collected a total of 124 comments. A summary of substantive comments may be found in **Attachment C** of the Environmental Review (EA). The full list of comments are online at: <http://dnrc.mt.gov/cabinsite/LeaseFeeFAQ.asp>.
- DNRC opened a comment period on the draft EA from April 5 to May 5, 2010. The department collected a total of ten comments during the period. A summary of substantive comments and department response may be found in **Attachment F** of the EA. The full list of comments received during the EA comment will be made available online.

BEFORE THE BOARD OF LAND COMMISSIONERS AND
THE DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION OF THE STATE OF MONTANA

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| In the matter of the repeal of ARM 36.25.137, amendment of ARM 36.25.106, 36.25.110, 36.25.111, 36.25.112, 36.25.115, 36.25.117, and 36.25.125, and the adoption of New Rules I (36.25.1001) through XIII (36.25.1013) regarding surface leasing and cabinsite leasing rules. |))))))) | NOTICE OF ADOPTION ON PROPOSED REPEAL, AMENDMENT, AND ADOPTION |
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**COMPLETE AGENDA ITEM INFORMATION WILL BE
AVAILABLE NEXT WEEK.**